

## **Probate Notes for May 1, 2007**

Probate notes are a recommendation as to the outcome of the petition. Unlike tentative rulings, they do not automatically become adopted as the order of the court. If you wish to have your petition preapproved or would like to continue the matter to cure defects, contact the probate examiner at (530) 406-6718 between the hours of 2 p.m. and 4 p.m.

---

**Case: LPS Conservatorship of Robert Jones**  
**Case No. CV PB 04-162**

It is recommended to approve the 3<sup>rd</sup> account and report of conservator, and grant petition for conservator and attorney fees. It is recommended to grant the petition for reappointment of LPS conservator of the person.

**Case: Probate Conservatorship of David Lares**  
**Case No. CV PB 07-51**

The Capacity Declaration and proof of personal service of the citation and petition on the proposed conservatee are not yet filed.

**Case: In the Matter of the Lares Trust**  
**Case No. CV P2 06-276**

It is recommended to grant the petition for resignation of trustee and for appointment of successor trustee.

**Case: In re the Matter of the Chelini Family Trust**  
**Case No. CV P2 06-171**

Counsel shall appear. At the 11/21/06 hearing, counsel stated they would be settling. No new documents have been filed.

**Case: Estate of Flocker**  
**Case No. CV PB 06-229**

It is recommended approve the first and final report on waiver of account of executor and grant the petition for its settlement, for statutory petitioner's and attorney's fees, for reimbursement of costs to the petitioner's attorney, for authorization to withhold a reserve for closing costs and for final distribution.

**Case: Estate of Hannagan**  
**Case No. CV PB 06-198**

It is recommended to continue the matter, due to the following problems:

1. Petitioner made a preliminary distribution, without a noticed hearing and court order, of the sum of \$35,200 and the 1997 Ford truck to Lucy Ruland, who is not a beneficiary of the estate.
2. Petitioner made a preliminary distribution, without a noticed hearing and court order, of the 1995 Tiffin motor home to Cynthia Weeks. (Prob. Code §11620 et seq.)
3. The current assets on hand are not stated. (CA Rules of Court, Rule 7.550(b)(4))
4. The specific property to be distributed to each person must be stated. (CA Rules of Court, Rule 7.651)
5. Waivers of account from all beneficiaries are not filed.
6. The mandatory graduated filing fee statement is not filed. (CA Rules of Court, Rule 7.552)

It is recommended that petitioner file an amended petition that addresses the above problems, and that states a proposed distribution which, for Ms. Weeks, states the amount of cash to be distributed to her after the distribution of the motor home.

**Case: Estate of Heffington**  
**Case No. CV PB 06-242**

The following problems are noted:

1. The mandatory graduated filing fee statement (CA Rules of Court, Rule 7.552) is not filed.
2. The verification to the petition is not the original.
3. The petition fails to state the current assets on hand. (CA Rules of Court, Rule 7.550(b)(4))